

REMARKS

This is in response to the non-final Official Action currently outstanding with regard to the present application.

Claims 1-10 were pending in this application at the time of the issuance of the currently outstanding Official Action. By the foregoing Applicants have amended Claims 1 and 6. Further, New Claim 11 has been added. No claims have been canceled or withdrawn. Accordingly, upon the entry of the foregoing Amendment, Claims 1-11 as amended above will constitute the Claims under active prosecution in this application.

The claims of this application as they will stand upon the entry of the foregoing Amendment are reproduced above including appropriate status identifiers and showing the changes being made as required by the Rules.

More particularly, in the currently outstanding Official Action the Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC §119 (a)-(d) or (f), and confirmed the receipt of the required copies of the priority documents by the United States Patent and Trademark Office;
2. Indicated the drawings filed as part of this application on 19 June 2003 are accepted;
3. Acknowledged his consideration of the Information Disclosure Statements filed in this application by providing the Applicants with copies of the Form PTO-1449 and Form PTO/SB/08a/b that accompanied those Statements duly signed, dated and initialed by the Examiner in confirmation of his consideration of the art listed therein; and

4. Rejected Claims 1-10 under 35 USC §103(a) as being unpatentable over Chrisop et al. (US Patent 2001/0025343) in view of Kamematu (US Patent 7,130,066).

No further comment regarding items 1-3 above is deemed to be required in these Remarks.

With regard to item 4 above, Applicants have amended Claims 1 and 6 so as to include the limitation:

an operation restricting unit for restricting storage of an image data to be newly processed and the operation for processing the image data when said image data destruction unit destructs the stored image data

Further Claim 11 has been added which restates the limitations of previous Claim 6 without the portion of the preamble of original Claim 6 that stated "...having a scanner function, a printer function and an image data transmission and reception function, capable of processing an image corresponding to a designated function," that are deemed to be unnecessary to the patentability of new Claim 11.

In the above regards, Applicants acknowledge that in the currently outstanding non-final Official Action the Examiner has rejected original Claim 1-10 on the grounds that those claims are deemed by him to be unpatentable under 35 USC §103(a) over the Chrisop et al. (US Patent Publication 2001/0025343) reference in view of Kanematu (US Patent No. 7,130,066) reference.

More particularly, with respect to Claim 1, the Examiner has alleged that the Chisop reference teaches an image processing device comprising a data storage unit for temporarily storing image data to be processed (Fig. 1, S110, store image data in copier memory, page 3 paragraph [0031]; an image destruction unit for destructing the image data stored in the storage unit (Fig. 1, S135, automatically overwrite copier memory with bit mask, page 3, paragraph [0031] and *an operation restricting unit for restricting the operation for processing the image data when said image data destruction unit destructs the stored image data (page 3, paragraph [0036], concealing information stored in at least one memory, page 5, Claim 1).* Further, the Examiner asserts that while the Chisop reference fails to teach an image processing device comprising a display for determining various settings, the Kanematu reference shows such an element at Fig. 12, UI251, deletion of data, Col. 15, lines 50-55, Col. 16, lines 4-5) in a similar context.

Applicants respectfully *traverse* the Examiner's stated grounds for rejection as they may apply to the claims of the above-identified application as hereinabove amended. In particular, Applicants respectfully submit that in the Chisop reference the "concealing" referred to by the Examiner in the emphasized portion of summary of his rejection stated above is indicative of a construction of the Chisop invention being for restricting the operation for processing the image data when the image data has been "concealed" (i.e., "obscured", "obliterated", "erased" or "deleted")" See Chisop at Page 3, paragraph [0036]. Applicant respectfully submits that the terms of the statement of the Examiner's rejection in this regard leads directly to the conclusion that the "concealing" referred to by the Chisop disclosure is *not the same thing as the destruction of stored image data by the image data destruction unit herein claimed.*

In further support for this position, Applicants respectfully note that in the specification of the present application the function of the restricting unit is described at the final paragraph of page 24 as follows:

In this embodiment, what is meant by restricting the operation for processing the image data as an image processing device is to completely lock the operation for processing the image data so as to reassure the user discarding the image processing device that the image data is disposed (reassure data security). However, it is also possible to restrict only a portion of the functions of the device, such as prohibiting use of the mass-storage system or hard disc (in other words prohibiting access to the mass-storage system) disposed in the image processing device.

and at the final full paragraph of page 33 as follows:

Moreover, the operation of the restriction means comprises a function to restrict the operation for processing image data and to display the information related to the restriction on the display unit of the manipulation means, so the user can be informed that the operation for processing the image data is restricted. Therefore, the user of the device can confirm that the image processing operation is restricted and be reassured.

Accordingly, Applicants respectfully submit that the Examiner has mischaracterized the disclosure of the Chisop reference as it relates to the present claims. Specifically, the fact that image data may be “concealed” does not mean that the operation of the processing device is necessarily restricted. In the present invention, however, the operation restricting unit restricts the operation for processing the image data such that the user can be assured when the image destruction unit has supposedly destroyed the data that none of the data that was supposed to have been destroyed will thereafter inadvertently be allowed to leak out personal or otherwise confidential data to an unauthorized user via the operation of the associated image processing function of the device. The foregoing Amendment emphasizes this point by the addition of language directed specifically to the restriction of storage of image data to be newly processed in addition to the restriction of the operation for processing the previously stored image data.

Hence, Applicants respectfully submit that independent Claims 1 and 6 as well as the claims dependent thereon (Claims 2-5 and 7-10) are now in condition for allowance because all of the elements therein claimed are not present in the cited art relied upon by the Examiner as required under 35 USC 102 for a single allegedly anticipatory reference and under 35 USC 103(a) for all of the combined references when taken together. A decision so holding in response to this communication is respectfully requested.

Similarly, Applicants respectfully traverse the Examiner's allegation that the Crisop et al or the Kanematu references when taken either alone or in combination teach, disclose or suggest the limitations of Claims 6 and 11 which state:

“a notifying unit for notifying the completion of destruction of said image data storage region by said image data destruction unit to a predetermined specific right holder”.

More specifically, the Examiner admits that the Chisop reference “fails to teach an image processing device comprising: an operation unit with a display for determining various settings; and a notifying unit for notifying the completion of destruction of said image data storage region by said image data destruction unit to a predetermined right holder. Further, while it appears that the Kanematu reference contemplates that entries in the address book therein discussed may be deleted, Applicants have found nothing in the Kanematu reference that supports the Examiner's allegation that the message box 822 shown in Fig. 60 of the Kanematu reference in any way teaches, discloses or suggests the last mentioned limitation found in Claims 6 and 11 of the present application. Indeed, as far as Applicants have been able to determine, the screen 822 of the Kanematu reference is for the display of text error messages (see Kanematu at Column 25, lines 34-36) not the display of positive notifications of the correct operation of the destruct (or delete) functions of the device therein disclosed. Therefore, the Examiner's outstanding rejection directed to the last quoted limitation of Claims 6 and 11 of the present application is not well taken and Applicants respectfully submit that it should be withdrawn as not being supported by the present record of this application.

A decision so holding in response to this communication is respectfully requested.

In summary, therefore, for each and all of the foregoing reasons, entry of the foregoing Amendment, reconsideration and allowance of all of the claims present in this application after the entry of this Amendment in response to this communication are respectfully requested.

Applicant also believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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SIGNATURE OF PRACTITIONER

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